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U.S. DISTRICT COURT
DISTRICT OF MASS.

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June 24, 2002

Hon. Rya W. Zobel
6110 John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02110

Re: The Giving Back Fund, Inc. v. Steverson, et als.
USDC Massachusetts No. 02-CV104446RWZ

Dear Judge Zobel:

I am counsel to the defendants in the above-referenced matter in which a hearing on Defendants' Motion to Dismiss is currently scheduled for a hearing on July 9th. I am writing to advise you that a statement in the Defendants' Reply Memorandum in support of their Motion to Dismiss to the effect that opposing counsel refused to consent to the filing of replacement declarations to correct a typographical error was based on a misunderstanding and is not correct. In fact, Attorney Rosenthal has advised me that he has no objection to the substituted Declarations of Mark Steverson and Laurence Rudolph previously filed with the Court. He also agrees that his Motion to Strike the original declarations therefore is now moot.

I sincerely apologize for any inconvenience this error may have caused.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. Muniz'.

Paul T. Muniz

PTM/lj

cc: David Rosenthal, Esq.

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